



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Lon Johnson
Michigan Democratic Party
606 Townsend Street
Lansing, MI 48933

JUL 03 2018

RE: MUR 6860
Terri Lynn Land, *et al.*

Dear Mr. Johnson:

This is in reference to the complaint you filed with the Federal Election Commission (the "Commission") on August 5, 2014, concerning possible violations of the Federal Election Campaign Act of 1971, as amended (the "Act"). The Commission found that there was reason to believe that Dan Hibma violated 52 U.S.C. § 30116(a)(1)(A), Terry Lynn Land and Terri Lynn Land for Senate and Kathy Vosburg in her official capacity as treasurer (the "Committee") violated 52 U.S.C. § 30116(f), and the Committee violated 52 U.S.C. § 30104(b)(3)(A), provisions of the Act, with respect to contributions totaling \$700,000 to the Committee made on December 31, 2013 and March 31, 2014. The Commission also found no reason to believe that the Respondents violated the same provisions of the Act with respect to a \$750,000 contribution to the Committee made on September 30, 2013 and was equally divided with respect to \$1.45 million in contributions from the joint checking account of Hibma and Land that were made to the Committee on August 13, 2013, September 20, 2013, and June 20, 2014. On May 10, 2018, the Commission accepted a conciliation agreement with the Respondents. Accordingly, the Commission closed the file in this matter on that date.

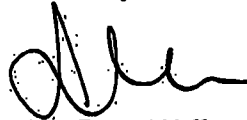
Documents related to the case will be placed on the public record within 30 days. *See* Disclosure of Certain Documents in Enforcement and Other Matters, 81 Fed. Reg. 50,702 (Aug. 2, 2016). A copy of the conciliation agreement with the Respondents is enclosed for your information.

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Lon Johnson
MUR 6860
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If you have any questions, please contact me at (202) 694-1650.

Sincerely,

A handwritten signature in black ink, appearing to read 'Ana Peña-Wallace', with a stylized, cursive script.

Ana Peña-Wallace
Attorney

Enclosure
Conciliation Agreement

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
) MUR 6860
Terri Lynn Land for Senate and)
Kathy Vosburg in her official capacity as treasurer)
Terri Lynn Land)
Dan Hibma)

OFFICE OF
GENERAL COUNSEL

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CONCILIATION AGREEMENT

This matter was generated by a complaint filed with the Federal Election Commission ("Commission"). The Commission found reason to believe that Dan Hibma violated 52 U.S.C. § 30116(a)(1)(A) and that Terri Lynn Land for Senate and Kathy Vosburg in her official capacity as treasurer ("Committee") and Terri Lynn Land (collectively, "Respondents") violated 52 U.S.C. § 30116(f). The Commission also found reason to believe that the Committee violated 52 U.S.C. § 30104(b)(3)(A).

NOW, THEREFORE, the Commission and the Respondents, having participated in informal methods of conciliation, prior to a finding of probable cause to believe, do hereby agree as follows:

- I. The Commission has jurisdiction over the Respondents and the subject matter of this proceeding, and this agreement has the effect of an agreement entered pursuant to 52 U.S.C. § 30109(a)(4)(A)(i).
- II. Respondents have had a reasonable opportunity to demonstrate that no action should be taken in this matter.
- III. Respondents enter voluntarily into this agreement with the Commission.
- IV. The pertinent facts in this matter are as follows:

FACTUAL BACKGROUND

1. Terri Lynn Land was a candidate for U.S. Senate in Michigan during the 2014 election cycle. Terri Lynn Land for Senate is her authorized committee, and Kathy Vosburg is its treasurer.

2. Dan Hibma is Land's spouse.

3. During the 2014 election cycle, Land made two contributions totaling \$700,000 to the Committee with funds drawn from a personal account held solely in her name. Specifically, Land made a \$600,000 contribution on December 31, 2013, and a \$100,000 contribution on March 31, 2014.

4. Land's personal account did not contain sufficient balances on December 31, 2013, or March 31, 2014, to fund the contributions she made to the Committee on those dates. Consequently, on each of those days, Hibma wired funds from his own personal account to Land's account to cover the draws. Hibma wired a total of \$710,000 into Land's account for this purpose.

LAW

5. The Federal Election Campaign Act of 1971, as amended (the "Act"), provides that no person shall make contributions to any candidate and his or her authorized political committee with respect to any election for federal office which, in the aggregate, exceed \$2,600. *See* 52 U.S.C. § 30116(a)(1)(A). The Act prohibits any candidate or political committee from knowingly accepting any contribution that exceeds the limits set forth in the Act. *See* 52 U.S.C. § 30116(f). The Act defines the term "contribution" to include "any gift, subscription, loan, advance, or deposit of money or anything of value made by any person for the purpose of influencing any election for Federal office." 52 U.S.C. § 30101(8)(A)(i).

6. Federal candidates may make unlimited contributions from their "personal

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V. Solely for the purpose of settling this matter expeditiously and avoiding litigation, with no admission as to the merit of the Commission's legal conclusions or with respect to any other proceeding, Respondents agree not to contest:

1. Hibma violated 52 U.S.C. § 30116(a)(1)(A) by making excessive contributions in the amount of \$700,000 to Land and the Committee.
2. Land and the Committee violated 52 U.S.C. § 30116(f) by accepting excessive contributions.
3. The Committee violated 52 U.S.C. § 30104(b)(3)(A) by failing to accurately report the contributions made by Hibma.

VI. Respondent will take the following actions:

1. Respondents will pay a civil penalty to the Commission in the amount of Sixty-Six Thousand dollars (\$66,000) pursuant to 52 U.S.C. § 30109(a)(5)(A).
2. Hibma will cease and desist from violating 52 U.S.C. § 30116(a)(1)(A).
3. Land and the Committee will cease and desist from violating 52 U.S.C. § 30116(f).
4. The Committee will cease and desist from violating 52 U.S.C. § 30104(b)(3)(A).
5. The Committee will amend its disclosure reports to reflect the contributions made by Hibma.

VII. The Commission, on request of anyone filing a complaint under 52 U.S.C § 30109(a)(1) concerning the matters at issue herein or on its own motion, may review compliance with this agreement. If the Commission believes that this agreement or any requirement thereof has been violated, it may institute a civil action for relief in the United States District Court for the District of Columbia.


MUR 6860 (Terri Lynn Land, *et al.*)
Conciliation Agreement

VIII. This agreement shall become effective as of the date that all parties hereto have executed the same and the Commission has approved the entire agreement.

IX. Except as otherwise provided, Respondents shall have no more than 30 days from the date this agreement becomes effective to comply with and implement the requirements contained in this agreement and to so notify the Commission.


X. This Conciliation Agreement constitutes the entire agreement between the parties on the matters raised herein, and no other statement, promise, or agreement, either written or oral, made by either party or by agents of either party, that is not contained in this written agreement shall be enforceable.

FOR THE COMMISSION:


Kathleen Guith
Associate General Counsel
For Enforcement

6/13/18
Date

FOR THE RESPONDENTS:


Charles R. Spies
Counsel for Terri Lynn Land for Senate,
Kathy Vosburg, Terri Lynn Land, and Dan Hibma

5/10/18
Date